

**Sponsored Programs Pre-Award Proposal Review and Approval Procedures**

**in support of ICSUAM Policy 11002.03**

**Issued: May 2020**

**PROCEDURE**

Pre-Award Review and Approval of Proposal Submission

Proposals for externally-sponsored projects (e.g., grants or contracts) must be submitted by California State University, Stanislaus’ Office of Research and Sponsored Programs (ORSP) on behalf of the University and an eligible Principal Investigator (PI). Any proposal not submitted by ORSP will lack necessary institutional approvals and therefore cannot form the basis for an award.

All proposals for grants and contracts submitted to a sponsoring federal or state agency, public or private corporation, private foundations or individuals must be reviewed and approved through the University’s official process before being sent to the Sponsor. The Office of Research and Sponsored Programs will prepare the Proposal Routing Form which contains summary information on the proposal. The Proposal Routing Form, a final budget, and at minimum, a draft of the proposal narrative, will be routed for approval. Approvals will include sign-offs from the following named individuals or a designee from the named office:

* Principal Investigator
* Department Chair
* Director of the Office of Research and Sponsored Programs
* College Dean
* Contract Language Review (for contracts)
* Office of Safety and Risk Management
* Post Award Grants Management
* Vice President for Business and Finance
* Provost

Designated by the President, the Provost (and her/his designee) serves as the official Authorized Institutional Representative. The Provost shall serve as the final authorized signature for proposals. Note: If any changes are to be made to the proposal during the routing process, the PI must be notified of those changes. If the PI does not accept the changes, the submission cannot occur.

All proposals shall be written in accordance with the guidelines authorized by the Sponsored Programs policies and shall be completed and delivered to the Office of Research and Sponsored Programs for review and routing at least seven (7) working days prior to the submission deadline, in order to allow sufficient time for review and oversight. The Office of Research and Sponsored Programs has a responsibility to present the University in the best light possible, and may not be able to meet proposal due dates when proposals are submitted later than the above timeline.

This serves as notice to all personnel responsible for the preparation of proposals and applications for Sponsored Programs that, if awarded, the recipient of the grant or contract shall be the University and not an individual, department, or other constituent unit.

Amendments of Grants or Contracts.

Amendment and/or modification to existing grants and contracts require the approval of the Provost (or her/his designee) and depending on the scope of the modification may require additional approvals. ORSP staff will review all amendments/modifications to determine the scope of change and will follow the procedures below to appropriately execute those agreements:

* If the amendment is a change in performance period, no-cost extension, or other solely administrative update (i.e. change in contact information), ORSP will route the amendment to the Provost (or designee) for signature.
* If the amendment/modification requires additional university resources, alters the scope of the work involved, increases the budget, or commits additional reassigned time from the Principal Investigator or other key faculty personnel, the amendment must be reviewed and re-approved through the normal proposal approval routing process.

Pre-Acceptance/Spending Approvals

The Proposal Routing Form will contain information related to the compliance requirements applicable to the proposal, which could include IRB, IACUC, COI, RCR, and/or Export Control Regulations. Approvals or the need for approvals will be documented in the Compliance section of the Proposal Routing Form. At the time of award, these compliance requirements will be highlighted on the Grant Award Checklist which is reviewed in detail at the Grant Start-up Meeting. If compliance approvals are still pending after the grant or contract funds have been received, the post-award grant accountants will not release the account information until those approvals are received. The Office of Research and Sponsored Programs will monitor the compliance approvals and will notify the post-award grant accountants when all required approvals have been received so the funds can be released to the PI.

Pre-Award Review to Determine Gift or Sponsored Program Designation

Although the determination between gifts and grants is usually made obvious by the application guidelines, the intent of the proposal to the funder, or the case for support being made to the donor, there can be instances of ambiguity requiring further inquiry and discussion between ORSP and University Advancement. This discussion will be initiated by the Director of ORSP and will involve the VP for University Advancement (or her/his designee) and will be guided by the Gift vs. Grant Characteristics document.

All competitive calls for proposal are facilitated through ORSP under Academic Affairs. Unsolicited case statements, letters of inquiry, or proposals prepared for submission to a private funder or foundation (501c3) may warrant University Advancement to take the lead in coordination with ORSP. If such proposal is for an activity or outcome that may result in the award of a grant, regardless of the donor’s gift and taxation intentions, the review of the proposal and budget is required and must go through the University signature approval process facilitated by ORSP.

For any proposal that has undergone a grant vs. gift review, and was determined to be a grant, summary of the consultation and final decision will be noted on the Proposal Routing Form in the “Comments” section.

Notice

As part of the Proposal Routing Form, the PI is notified and accepts that by initialing the Routing Certifications that recipient of a grant or contract shall be the University and shall not be an individual, department, or other constituent.

* The ORSP staff member responsible for the project will include the Routing Certifications from with the Proposal Routing Form and shall ensure that the PI has reviewed that document by obtaining the PI’s initials and date on each page of the certification form.
* The Disclosure of Financial Interest and Delegation of Authority forms will be included in the routing to be completed and signed by the PI
* The Proposal Routing Form will not be forwarded for the next level signature without the PI initials and date on the Routing Certifications form.

When a notice of award is received by the Office of Sponsored Programs, the following will occur:

* The ORSP staff member responsible for the project will review the notice to ensure all of the information is accurate.
* If there are questions related to the terms, or if there are any questions related to the notice, the ORSP staff member will reach out to the funding agency for clarification.
* The ORSP staff member will send a copy of the notice of award to the PI, the PI’s Department Chair, the College Dean, and the College Budget Analyst, and the Post-Award Grant Manager.
* The ORSP staff member will work with the PI (and any related staff) and the assigned post-award financial accountant to schedule a Grant Start-Up Meeting.

Budget

At the time of award, it is possible that the funding agency will request changes to the submitted budget. If revisions to the budget are requested prior to award:

* The ORSP staff member responsible for the project will work with the PI to revise the budget in accordance with funding agency guidance.
* Once finalized, the revised budget will follow a modified review and approval routing:
  + Director, ORSP
  + PI
  + College Dean (if revision contains a change in faculty release time)
  + Post-Award Grant Accountant
* After approvals have been received, the final revised budget will be officially submitted to the funding agency by ORSP.

# RELATED DOCUMENTS

# Grants vs. Gifts Characteristics

# PI Routing Certifications

**Grant vs. Gifts Characteristics**

The following are key characteristics to consider when determining whether support from a corporation or foundation should be processed through University Advancement (UA) or through the Office of Research and Sponsored Projects (ORSP).

This table may aid in understanding the distinguishing what is a sponsored project, contract, or gift, but it's a complex designation. To gain a thorough understanding, be sure to read the additional details below to learn more about **processing private sector support** *and*about **processing private sector contracts** for higher education.

| **Award Characteristic** | **Sponsored Project** | **Contract** | **Gift** |
| --- | --- | --- | --- |
| **SOURCE OF FUNDS** | | | |
| Funding provided by an individual |  |  | X |
| Funding provided by governmental agency | X | X |  |
| Funding provided by private (for-profit or non-profit) entity | X | X | X |
| Funder remains anonymous |  |  | X |
| **PROCESS TO APPLY FOR FUNDS** | | | |
| Funds awarded in response to a formal RFP | X | X |  |
| Faculty-defined scope of work | X | X | X |
| Funder-defined scope of work |  | X |  |
| **FUNDER’S INTENT IN AWARDING FUNDS** | | | |
| Charitable purpose | X |  | X |
| Funding a professorship or endowment |  |  | X |
| **TERMS OF USE OF FUNDS** | | | |
| Funds are revocable (may be returned) | X | X | X  (if donor is a private foundation) |
| Funds are irrevocable |  |  | X |
| Funds are restricted for a detailed purpose | X | X | X |
| Funds are restricted for a high-level generic purpose |  |  | X |
| Funds are unrestricted |  |  | X |
| Use of funds governed by Funder guidelines/policies | X | X | X |
| Uniform Guidance (2 CFR 200) applicable | X |  |  |
| Federal Acquisition Regulations applicable |  | X |  |
| Confidentiality of sponsored-provided information |  | X |  |
| Certifications and formal terms and conditions | X | X |  |
| Use requires compliance office review (e.g., IRB, UCUCA) | X | X |  |
| Specific period of performance | X | X | X |
| No specific period of performance |  |  | X |
| Prior approval required for budget, scope or date changes | X | X |  |
| Facilities & Administrative (Indirect) costs | X | X |  |
| Actual cost reimbursement | X | X |  |
| Fixed fee reimbursement |  | X |  |
| Milestone reimbursement |  | X |  |
| Prepaid or payment schedule | X | X | X |
| University may terminate unilaterally | X | X |  |
| Funder may terminate unilaterally | X | X |  |
| **OUTCOMES GENERATED FROM USE OF FUNDS** |  |  |  |
| Public benefits | X |  | X |
| Funder benefits |  | X |  |
| Outcomes uncertain/flexible | X |  | X |
| Outcomes certain/inflexible |  | X |  |
| Publication encouraged | X | X | X |
| Publication restricted |  | X |  |
| Pre-publication review required | X | X |  |
| **OBLIGATIONS TO FUNDER** | | | |
| Detailed financial and progress reporting | X | X |  |
| Minimal high-level financial and progress reporting |  |  | X |
| No financial or progress reporting |  |  | X |
| University must return unexpended funds | X | X | X |
| University may negotiate re-allocation of unexpended funds | X |  | X |

Note that the existence of one characteristic alone is likely not sufficient to make a determination. Moreover, the characteristics of both sponsored projects and gifts will oftentimes apply to the same award. For these reasons, multiple factors should be considered in making an assessment of how to proceed. A sound judgment based on the preponderance of applicable characteristics should determine which office handles the funds. In general, ORSP will process and engage Sponsored Programs in the management of awards with budget, confidentiality, intellectual property or compliance factors (e.g., human subjects and animal research), aspects of which require the sophisticated tracking and review tools built into the research enterprise (e.g., effort allocation, IRB, IACUC, etc.).

*Certifications made by the Principal Investigator (PI) by submitting a proposal*: When a proposal is submitted to a funding agency the official authorized to sign the proposal on behalf of the University (AOR) is required to verify to the sponsor that the University is a responsible grantee and is in compliance with applicable laws and regulations. Further, the AOR must ensure that University policies and procedures were followed in the preparation and submission of the proposal. In certifying the proposal routing form, the PI certifies that all Key Personnel involved in the project are or will be in compliance with University and sponsor policies as they relate to the proposal being submitted and to a subsequent award. These certifications/assurances are listed below. Many of the following certifications are federal in origin, the principles behind them may apply to all sponsored activities, regardless of sponsor – in accordance with CSU policy.

**By certifying the proposal routing form for Contract and Grant Proposals the PI acknowledges and certifies the following:**

**Institutional Certifications**

1. That the information submitted within the proposal/application is true, complete and accurate to the best of his/her knowledge;
2. That any false, fictitious, or fraudulent statements or claims within the proposal/application may subject him/her personally to criminal, civil, or administrative penalties;
3. That he/she agrees to accept responsibility for the scientific conduct of the project and to provide the required progress reports to the sponsor if a grant is awarded as a result of the proposal/application;
4. That he/she acknowledges that recipient of the grant or contract shall be the University and not an individual, department, or other constituent unit;
5. That he/she will comply with sponsor and Campus policies and regulations; and that he/she has read, and is, or will be in compliance with and abide by all the items included here;
6. That he/she understands that willful provision of false or misleading information can subject the investigator and the University to severe monetary penalties.
7. That he/she has examined the proposal for completeness and accuracy (including the truthfulness of the scientific claims made, biographical data, and budget estimates), and explicit acknowledgment has been given to those who substantially contributed to the preparation of this proposal.
8. That he/she will keep adequate records related to the activities on this project and is aware that all such records, including laboratory notebooks, must be made available to the University;
9. That he/she will comply with all applicable Campus policies regarding nondiscrimination;
10. That the salaries included in the proposal budget are in compliance with CSU salary scales and follow additional employment requirements in the current Unit 3 CBA; and that the cost of living adjustments do not exceed recommended levels, or if they do they have been adequately justified;
11. That the employee benefits budgeted in the proposal are either based on actual benefits rates or a current average rate;
12. That either applicable federally-negotiated indirect (F&A) cost rates have been used or an approved waiver is currently on file or has been requested for the F&A rate used in calculating the budget;
13. That the sponsor or an agent acting on behalf of the sponsor will have access to the facilities where the project is conducted, and be permitted to review technical and financial project records;
14. That he/she has the technical ability to conduct the project, and that research space, including any special utilities, transportation requirements, or facilities, is available to conduct the project and necessary approvals have been authorized;
15. That each Co Investigator and Key Person listed on this project is aware that his/her names have been included in the proposal and that each is willing to provide support to the project;

**Federal Certifications**

1. If the sponsor follows PHS COI, the PI and all Investigators (with responsibility for the design, conduct, or reporting of research) on this project, each have completed the required (1) educational training, and (2) the financial interest disclosure;
2. If the sponsor is NSF, the PI and all Investigators are aware of the Notification Requirements Regarding Findings of Sexual Harassment, Other Forms of Harassment, or Sexual Assault term and condition that will be accepted upon receipt of a grant award (see full Notice at 83 FR 47940);
3. That if the proposal is submitted to a Federal agency either directly or indirectly through another organization, neither he/she, nor any person who will receive compensation under the anticipated award, is currently debarred, suspended, nor proposed for debarment from receiving Federal support for research. Further, he/she will notify Sponsored Programs if any person who will receive or is receiving compensation under the subject award is debarred or suspended from receiving Federal funds prior to the project’s expiration date;
4. That if the proposal is submitted to a Federal agency either directly or indirectly through another organization, and if he/she or anyone funded by the project have engaged in any lobbying efforts for this project, he/she has done so on their own time and at their own expense and have not used any federal funds for this purpose. Further, if lobbying activities related to this project have been paid from a non-federal source, he/she will complete and submit Standard Form LLL, Disclosure of Lobbying Activities;
5. That all direct charges to the contract or grant (including those of any subawardee(s)/subcontractor(s) listed in the proposal directly) relate to the activity supported and are reasonable and allowable; that expenditures are consistent with all special terms, conditions, or limitations that apply to expenditures under the particular contract or grant; and that expenditures do not exceed the total funds authorized for a given period under the contract or grant. (In many cases the contract or grant may also specify expenditure limits by budget category or line item);
6. That if this proposal contains any information that needs to be kept confidential by federal or other reviewers and administrators, he/she has marked such information appropriately;
7. That if this is a proposal that will result in a contract under which he/she will provide technical advice to the federal government, then he/she does not believe that performance of this service will give him/her an unfair advantage in competing for other government contracts, nor does he/she believe that he/she will be unable to render impartial advice or assistance;
8. That if this is a proposal that will result in a federal contract in excess of $100,000, he/she has not employed or retained any person or company to solicit or obtain this contract;
9. That if this is a proposal that will result in a federal contract in excess of $100,000, he/she has not offered any gift, discussed any job offer, or solicited any proprietary information or source selection information from any federal official who is involved in awarding this contract;

**Compliance Certifications**

1. That if this project involves human subjects or laboratory animals, he/she has read and will abide by and will ensure that those working on this project abide by applicable University and federal policy on the protection of human subjects and on the care of laboratory animals;
2. That if this project involves nonexempt use of recombinant DNA molecules, he/she will ensure that the research will be approved by the relevant campus biosafety committee;
3. That if the proposed research involves the taking, importation, or use of protected marine mammals, or any endangered or threatened species, he/she will comply with applicable federal/state regulations and obtain the necessary permits and authorizations; and
4. That he/she will comply with all applicable Campus policies for the conduct of research involving biohazards, carcinogens, hazardous or toxic wastes, or controlled substances.